

FILED

Clark

District Court

Oct 10 2006

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For The Northern Mariana Islands
By _____
(Deputy Clerk)

5 Attorney Appearing in Pro Se
6

7 **IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN MARIANA ISLANDS**

9 ROBERT D. BRADSHAW,)
10 Plaintiff,) Case No. CV 05-0027
11 v.)
12 COMMONWEALTH OF THE) **ANSWER TO THIRD
13 NORTHERN MARIANA ISLANDS, et al.,) AMENDED COMPLAINT;
14 Defendants.) **DEMAND FOR JURY**
15 _____)**

16 Defendant, JAY H. SORENSEN, appearing for himself, responds to and answers
17 the third amended complaint as follows:

18 1. The allegations of the following paragraphs are admitted: 1, 7, 15, 16, 18, 19,
20, 89, 91-94, 129, 144.

21 2. The allegations of the following paragraphs are denied: 21-39, 47-53, 63, 65,
74-76, 113, 114, 116, 130, 142, 143, 212-228, 326, 329-333, 335-336, 357, 359, 361,
362, 376, 377, 380-382.

22 3. This defendant has insufficient information as to the allegations of certain
23 paragraphs, and based on the lack of sufficient information, denies them. Those
24 paragraphs are: 3, 8-14, 17, 44, 56-58, 60, 61, 64, 66-73, 77-88, 99, 100, 115, 128, 131-
25 137, 152-174, 175-196, 197-210, 233-260, 265-271, 276-279, and 340-344.

1 4. Certain of the paragraphs do not aver facts, but are legal contentions, rhetorical
2 statements, musings, speculative conclusions or prayers for relief. To the extent that they
3 may be considered allegations of fact, they are denied. Those paragraphs are: 2, 4, 5, 6,
4 40-46, 54, 55, 59, 62, 95-98, 101-112, 117-127, 139-141, 145-151, 229-231, 261-263,
5 272-274, 280-282, 320-325, 327, 334, 337, 338, 345, 346, 358, 360, 378.

6 5. In response to paragraph 90, defendant admits those allegations, except that the
7 justification for entry of default was the Superior Court's determination that Bradshaw
8 had been properly served by certified mail, had appeared in the case, and had waived any
9 challenge to insufficient service of process, as articulated in the Order Denying Motion to
10 Remove Case From Trial Docket filed February 22, 2000, and that Bradshaw had failed
11 to file an answer.

12 6. Certain paragraphs merely incorporate preceding paragraphs by reference.
13 Response to the incorporated paragraphs are as noted above. Those incorporating
14 paragraphs are: 211, 232, 264, 275, 318, 328, 339, 356, 375, 379.

15

AFFIRMATIVE DEFENSES

17 6. The second amended complaint fails to state a claim against this answering
18 defendant.

19 7. The claims brought are barred by the applicable statute of limitations and/or
20 the doctrine of laches.

21 8. Plaintiff has waived any rights he may have had that provide the basis for this
22 action and is thereby estopped from any relief.

23 9. To whatever extent anyone may have misrepresented the receipt by plaintiff of
24 service of process, such misrepresentation was not the cause of the default judgment
25 entered against him, and hence, did not result in any harm to plaintiff.

1 WHEREFORE, defendant prays that plaintiff take nothing by his third amended
2 complaint, that defendant be awarded judgment against plaintiff, and that defendant
3 recover costs of suit herein incurred, as well as such other relief as the court may deem
4 proper.

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9 Jay H. Sorensen
10 In Pro Se
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DEMAND FOR JURY

15 Pursuant to Rule 38, Federal Rules of Civil Procedure, this answering defendant
16 hereby requests that all issues brought against him be submitted for jury determination.
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21 Jay H. Sorensen
22 In Pro Se
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1 CERTIFICATE OF SERVICE
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3 The undersigned hereby certifies that on SEPT. 27, 2006
4
5 a copy of each of the following: ANSWER TO THIRD AMENDED COMPLAINT;
6 DEMAND FOR JURY

7 were deposited for delivery to the U.S. Post Office, first class mail, postage prepaid,
8 addressed as set forth below (except as noted below):
9

10 Robert D. Bradshaw
11 P.O. Box 473
12 1530 W. Trout Creek Road
Calder, Idaho 83808

13 * Office of the Attorney General – Civil Division
14 Commonwealth of the Northern Mariana Islands
15 2nd Floor, Hon. Juan A. Sablan Bldg
Caller Box 10007
16 Saipan, MP 96950

17 * Mark B. Hanson
18 First Floor, Macaranas Bldg.
19 Beach Road, Garapan
20 PMB 738, P.O. Box 10,000
Saipan, MP 96950

22
23
24 
Jay H. Sorensen

25 * Served electronically by agreement of the parties
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27
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